

AN ACT

ENTITLED, An Act to transfer the authority to certify sign language interpreters to the Department of Human Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 1-36A-10.1 be amended to read as follows:

1-36A-10.1. The Department of Human Services may examine, certify and renew the certificates of duly qualified applicants to be interpreters for the deaf.

Section 2. That § 1-36A-11 be amended to read as follows:

1-36A-11. The Department of Human Services shall establish a review panel, which shall meet at least semiannually, to review and assign interpreter qualification levels based upon a performance review before the panel, a review of certification issued by another state or territory or a review of certification issued by a nationally administered examination. The review panel shall consist of five individuals who are fluent in American sign language, signed English, or a combination of both. Two individuals shall be deaf or hard of hearing, one individual shall be a certified deaf interpreter (CDI) or an individual who is an American sign language instructor who is deaf, and two individuals shall be Level V certified interpreters. The review panel shall include an interpreter who is certified by the National Association for the Deaf (NAD) and an interpreter who is certified by the National Registry of Interpreters for the Deaf, Inc. (NRID). All individuals serving on the review panel shall have successfully completed the evaluators' training based on the NAD Interpreter Assessment Evaluator's Manual. The department shall maintain, and publish, and make available upon request a registry of all interpreters and their respective levels of qualification.

Section 3. That § 1-36A-12 be amended to read as follows:

1-36A-12. The Department of Human Services may promulgate rules pursuant to chapter 1-26 to establish interpreter certificate qualifications, establish continuing education

requirements, and may establish separate interpreter certification qualifications for provisional certification, as well as for interpreters serving in medical, educational, or legal settings.

Section 4. That § 1-36A-13 be amended to read as follows:

1-36A-13. The fund for certification of interpreters for the deaf is hereby created in the state treasury. All fees received by the Department of Human Services and money collected under § 1-36A-15 shall be deposited in the fund. Any money in the fund is continuously appropriated to the department for expenses incurred in the certification of interpreters for the deaf and may be expended by the secretary of human services. The compensation and expenses of the interpreter review panel shall be paid from the fees received under the provisions of § 1-36A-15. The department may require any applicant who is taking a nationally administered examination to remit the portion of the certification fee covering the cost of the examination directly to the organization administering the examination.

Section 5. That § 1-36A-14 be amended to read as follows:

1-36A-14. Any balance of fees received by the Department of Human Services after payment of compensation and expenditures may be expended by the secretary of human services only in administering §§ 1-36A-10.1 to 1-36A-16, inclusive.

Section 6. That § 1-36A-15 be amended to read as follows:

1-36A-15. The Department of Human Services shall collect in advance the following nonrefundable fees for certification:

- (1) For initial or provisional certification by examination or endorsement, not more than seventy-five dollars;
- (2) For re-examination, not more than the amount required for initial certification by examination or endorsement;
- (3) For renewal of certificate, not more than thirty-five dollars;
- (4) For effecting a name change upon the records of a certificate holder, not more than

ten dollars;

- (5) For reinstatement of a lapsed certificate, the current fee for initial certification by examination or endorsement; and
- (6) For issuing a duplicate certificate, not more than ten dollars.

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I certify that the attached Act
originated in the

SENATE as Bill No. 67

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 67
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State